

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
DUBLIN DIVISION

RANDY LEE CAPEHART,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CV 324-065
	)	
TYRONE OLIVER; J. RANDALL SAULS;	)	
WARDEN SHAWN GILLIS; and DR. NEAV,	)	
	)	
Defendants.	)	

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**ORDER**

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After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation, to which objections have been filed. (Doc. no. 9.) The Magistrate Judge recommended dismissal of the case without prejudice because Plaintiff failed to timely effect service of process. (See doc. no. 7.)

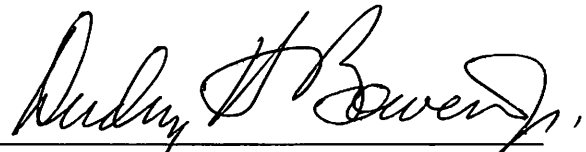
Nothing in Plaintiff's objections changes the analysis that his case is due to be dismissed because of the failure to properly effect service in a timely fashion. To justify his failure to timely effectuate service, Plaintiff states he tried to obtain an attorney and did not understand the "paperwork" sent by the Court about his case. (Doc. no. 9, p. 2.) He also provides further detail about his denial of medical care claims. (Id.) However, the Court finds Plaintiff has not shown good cause or other circumstances to warrant any further extension of the service period. (See doc. no. 7, p. 2 (explaining justifications for extensions of service period).) None of the information contained in Plaintiff's objections suggests any Defendant

is evading service or otherwise alters the Magistrate Judge's analysis regarding the statute of limitations and Plaintiff's previously dismissed case. (See *id.* at 2-4.)

Ultimately, although Plaintiff is proceeding *pro se*, he bears the responsibility to serve Defendants. See Kammona v. Onteco Corp., 587 F. App'x 575, 578 (11th Cir. 2014) (*per curiam*) (citing Albra v. Advan, Inc., 490 F.3d 826, 829 (11th Cir. 2007) (*per curiam*)). Because he did not timely effectuate service, and no good cause or other circumstances exist to warrant extension of the service period, the Court concludes Plaintiff's case should be dismissed.

Accordingly, the Court **OVERRULES** the objections, **ADOPTS** the Report and Recommendation of the Magistrate Judge as its opinion, **DISMISSES** this case without prejudice for failure to timely effect service on Defendants and abandonment of the case, and **CLOSES** this civil action.

SO ORDERED this 5<sup>th</sup> day of February 2025, at Augusta, Georgia.

  
UNITED STATES DISTRICT JUDGE